

TOWNSHIP OF WALL

ORDINANCE NO. 14 - 1995

AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING AND SUPPLEMENTING CHAPTER III, "REGULATORY ORDINANCES", OF "THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WALL, 1977", AS AMENDED AND SUPPLEMENTED, PERTAINING TO PROPERTY MAINTENANCE.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Wall in the County of Monmouth as follows:

Section 1. Chapter III, "Regulatory Ordinances", of "The Revised General Ordinances of the Township of Wall, 1977", as amended and supplemented, shall be and the same is hereby further amended and supplemented, by the addition thereto of the following Section:

"3-24 PROPERTY MAINTENANCE.

3-24.1 CONFORMANCE REQUIRED. The provisions of this Chapter shall govern the minimum conditions and responsibilities of the owners of property for the maintenance of structures and the exterior of property, including all vacant structures and premises and vacant land. All property, structures or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to adversely affect the public health or safety.

3-24.2 DEFINITIONS. As used in this section, the term 'Public nuisance' shall mean and include the following:

- a. The physical condition or occupancy of any premises regarded as a public nuisance at common law; or

- b. Any physical condition or occupancy of any premises or its appurtenances considered an attractive nuisance to children, including, but not limited to, abandoned wells, shafts, basements, excavations and unsafe fences or structures; or
- c. Any premises that has unsanitary sewerage or plumbing facilities; or
- d. Any premises designated as unsafe for human habitation; or
- e. Any premises that is manifestly capable of being a fire hazard, or is manifestly unsafe or unsecured so as to endanger life, limb or property; or
- f. Any premises from which the plumbing, heating or facilities required by this code have been removed, or from which utilities have been disconnected, destroyed, removed or rendered ineffective, or the required precautions against trespassers have not been provided; or
- g. Any premises that is unsanitary, or that is littered with rubbish or garbage, or that has an uncontrolled growth or weeds; or
- h. Any structure that is in a state of dilapidation, deterioration or decay; faulty construction; overcrowded; open, vacant or abandoned; damaged by fire to the extent so as not to provide shelter; in danger of collapse or failure; and dangerous to anyone on or near the premises.

3-24.3 EXTERIOR PROPERTY AREAS. The owner of each premises in the Township shall maintain the structures and the exterior property in compliance with the following regulations:

- a. Sanitation: All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.
- b. Grading and drainage: All premises shall be graded and maintained to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

- c. Sidewalks and driveways: All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.
- d. Weeds: All premises and exterior property shall be maintained free from weeds or plant growth in excess of 10 inches. All noxious weeds shall be removed. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, that this term shall not include cultivated flowers and gardens.
- e. Rat harborage: All structures and exterior property shall be kept free from rat infestation. Where rats are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.
- f. Accessory Structures: All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.
- g. General: The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.
- h. Structural members: All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.
- i. Foundation walls: All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rats.
- j. Exterior walls: All exterior walls shall be free from holes, breaks, loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.
- k. Roofs and drainage: The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof water shall not be

discharged in a manner that creates a public nuisance.

1. Decorative features: All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.
- m. Overhang extensions: All canopies, marquees, signs, metal awnings, stairways, fire escapes, standpipes, exhaust ducts and similar overhang extensions shall be maintained in good repair and be properly anchored so as to be kept in a safe and sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.
- n. Chimneys and towers: All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.
- o. Handrails and guards: Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.
- p. Window and door frames: Every window, door and frame shall be kept in sound condition, good repair and weather tight."

3-24.4 VIOLATIONS. It shall be unlawful for the owner of any premises in the Township to maintain, occupy or permit another person to occupy a premises which constitutes a "public nuisance" as defined in this Section. It shall be further unlawful for the owner of any premises in the Township to maintain, occupy, or permit another person to occupy a premises which violates

any regulation pertaining to exterior property areas contained in this Section.

- a. The Code Enforcement Officer shall notify the owner of any property found to be in violation of this Section, in writing, of any such violation. Such violation notice shall provide a reasonable period of time for the correction of any such deficiency, which period of time shall not be less than ten (10) days. If the owner of the premises shall have failed, refused or neglected to correct such deficiencies within the time provided, the Code Enforcement Officer may issue a summons for any such violation of this Section."

Section 2. All Ordinances, or parts thereof, inconsistent with the provisions of this Ordinance, be and the same are hereby repealed to the extent of such inconsistency.

Section 3. Should any section, paragraph, clause or any other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

Section 4. This Ordinance shall take effect immediately upon its passage and publication according to law.

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on May 24, 1995 and will be further considered for final passage and adoption at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey, on June 14, 1995 at 8:00 o'clock p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be

given an opportunity to be heard, and during the week prior to, and up to and including, the date of such meeting, copies of said Ordinance will be made available at the Clerk's office in the Township of Wall Town Hall to the members of the general public who shall request the same.

BEATRICE M. GASSNER, C.M.C.
Township Clerk